UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
CHEN, TE Y

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 November 2004</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-34</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

This Action is responsive to the amendment filed on 11/05/2004.

Claim status

Claims 1-34 are pending for examination, claims 1, 4, 12, 16, 24 and 27 have

been amended.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 4-6, 16-18 and 27-28 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

As to claims 4 (lines 5-6), 16 (lines 1-2) and 27 (lines 5-6), the instant

specification fails to disclose the structure of claimed data object and it's associated

types as well as the links between the claimed data object type and separate programs,

thus the recitation of these claims are deemed to be indistinct. Furthermore, based on

the remarks/arguments specified in page 11, line 6 of instant amendment, there is a

quick finger error in claim 16, the word "type" at line 2 should not be deleted.

As to claims 5-6, 17-18 and 28, these claims have the same defect as their base

claims hence are rejected for the same reason.

Because of the ambiguous nature of instant invention, claims 4-6, 16-18 and 27-

28 will have no art rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-15, 19-26 and 30-34 are rejected under 35 U.S.C. 102(e) as being

anticipated by Dorsett, Jr. (U.S. Patent No. 6,658,429).

As to claims 1, 12 and 24, Dorsett '429 discloses a system with

means/method/computer readable program product for querying data [e.g. col. 2, lines

39-54, Fig. 1, Fig. 7], comprising:

a) a digital library including asset classes [e.g., the unit 100, Fig. 1; col. 4, line 66

– col. 5, line 38, col. 6, lines 46-59, col. 7, lines 11-17, col. 8, lines 53-63], wherein each

attribute of the at least one asset classes [e.g., XYDataSet Java class, col. 13, line 42 –

col. 15, line 15; Fig. 4 B and associated texts] have an attribute object [e.g., XYDataSet

objects, col. 6, lines 46-50] comprising an external data object [e.g., a derived object,

col. 6, lines 50-52, the XDATA, YDATA fields of Fig. 4B] and attribute object type

identify the type of the attribute object [e.g., a tow-dimensional or time-fixed data set,

col. 6, lines 55-59, the BLOB data type of XDATA, YDATA fields, Fig. 4B];

b) a computer readable medium [e.g., col. 5, lines 16-30] including:

1) providing a definition of at least one asset class having at least one

attribute, wherein each attribute is defined to have an attributes object type [e.g., the

XYDataSet Java class; col. 13, lines 42 – col. 14, line 15];

2) providing an asset object instances for the attributes in the asset

classes [e, g. 300, Fig. 3, col. 9, lines 3-17; lines 26-47; col. 13, lines 20-29; the 288

XYDataSet objects, col. 16, lines 1-7].

3) providing a query indicating an asset name [e.g., the PPR element 805,

Fig. 8A], search predicate [e.g., the user query interface unit 800, Fig. 8A], at least one

attributes operator [e.g., the user query interface units 815, 825, Fig. 8A], and attributes

value[e.g., the user query interface unit 820, Fig. A], wherein, the attribute operator is

associated with at least one attribute included in the indicated asset name [e.g., col. 19,

lines 12-26; Fig(s). 7, 8A – 8B and associated texts]; and

c) means for processing the query by accessing asset object instances of the

assert name to determine assert object instances whose attribute object for the attribute

associated with the attribute operator matches the attribute value and satisfies the

search predicate [e.g., the units 110, 130, 160, 170, etc. Fig. 1, col. 3, lines 46-54; col.

19, lines 12 – col. 20, line 7; Fig. 7, 8A-8B and associated texts].

As to claim 13, except the features recited in claim 12, Dorsett further discloses

that the system comprises a plurality of computer readable devices [e.g., the unit 130,

140, Fig. 1], wherein the computer readable devices comprises at least one of storage

devices, memory devices, and transmission media [e.g., Fig. 1, col. 4, line 67 – col. 5,

line 38].

As to claims 2, 14 and 25, except features recited in claims 1, 12 and 24, Dorsett

further discloses that the query comprises attribute operators [e.g., the unit 825, Fig.

8A], attribute values [e.g., the unit 820, Fig. A] to query asset object instances [e.g. the

unit 805, Fig. 8A] whose attribute objects matches the attributes values and search

predicate for each attribute operator [e.g., Fig. 8 and associated texts].

As to claims 3, 15 and 26, except features recited in claims 1, 12 and 24, Dorsett

further discloses that each asset object instance includes information on a file location

of attribute objects providing the attributes for the assert object instance [e.g., the

position field, of the unit 340, Fig. 3, col. 14, lines 46-60], and wherein the means for

processing the query to search the attributes object further accesses the attribute object

at the file location indicated in the asset object instance having the attribute object [e.g.,

e.g., col. 14, lines 46-60, col. 15, lines 1-30].

As to claims 7, 19 and 30, except features recited in claims 1, 12 and 24, Dorsett

further discloses that the system having means [e.g., the server130, Fig. 1] for

processing the query to search the attribute object for each asset object instance of the

first asset type performs:

a) accessing the relationship attribute object [e.g., the database 180, Fig. 1] to

determine all asset object instances of the second asset type [e.g. the relational tables,

col. 7, line 7] associated with the asset object instance [e.g., col. 7, lines 11-7; lines 34-

42];

b) for each determined asset object instance, processing the query by

determining the asset object instances of the second type whose attribute object for the

attribute of the second asset type associated with the attribute operator matches the

attribute value and satisfies the search predicate [e.g. col. 7, lines 56-23].

As to claims 8, 20 and 31, except features recited in claims 1, 12 and 24, Dorsett

further discloses that the relationship attribute object comprises a database table,

wherein a first column in the database table is for unique identifiers of instances of the

first assert type [e.g., the ID column of the EXPERIMENT table, col. 11, lines 5-9]; and a

second column in the database table is for unique identifiers of instances of the second

assert type, wherein a raw in the database table identifies one instance of the first

assert type identified by the unique identifier in the first column of the raw that is

associated with one instance of the second assert type identified by the unique identifier

in the second column of the row [e.g., the experiment ID column of the KEYWORD table
, col. 11, lines 10-15].

As to claims 9, 21 and 32, except features recited in claims 1, 12 and 24, Dorsett
further discloses that the definition of each attribute of an asset class is implemented in
an extensible Markup Language (XML) document [e.g., col. 10, lines 23 – 64]. Wherein
each defined attribute of an asset class comprises a tagged element in the XML
document and the information for each attribute is embedded in at least one tagged
attributes of the tagged element for the attribute [e.g., col. 10, lines 30 – 47]

As to claims 10-11, 22-23, 33-34, except features recited in claims 1, 12 and 24,
Dorsett further discloses that the system having:

a) means for generating a graphical user interface accessible to a user with fields
for receiving user input indicating an asset name, search predicate, at least one
attributes operator and attribute value, wherein the query is provided through data
entered by the user into the fields [e.g., the units:160, Fig. 1; Fig(s). 8A-9E and
associated texts];

b) means for determining attribute operator associated with the attributes of the
asset name in responses to receiving a user entered asset name for the query [e.g., the
server process 140, Fig. 1];

c) means for generating a display of a list of the determined attribute operator
[e.g., the unit 815, 830, Fig. 8A];

d) means for receiving user selection of one of the determined attribute operators

from the displayed list, wherein the user selected attribute operator is used in the query

[e.g., the I/O device 190, Fig. 1].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dorsett,

Jr. (U.S. Patent No. 6,658,429) in view of Boucher et al. (U.S. Patent No. 6,745,368).

As to claim 29, Dorsett discloses all limitations as recited in claim 24, except he

did not specifically teach that the system having one attribute being defined for an

attribute object that comprises at least one multimedia file.

However, Boucher et al (hereinafter referred as Boucher) discloses a system

having one attribute being defined for an attribute object that comprises at least one

multimedia file [e.g., 140B, Fig. 2; col. 6, lines 1-18].

Dorsett and Boucher having common subject matters as data objects storing, retrieving and playing system via a dynamic generated interface by Extensible Markup Language (XML) programs over Internet protocol. Therefore, with the teachings of Dorsett and Boucher in front of him/her, an ordinary skilled artisan at the time the invention was made would be motivated to modify Dorsett's system with one attribute being defined for an attribute object that comprises at least one multimedia file as taught by Boucher, because by doing so, the media being processed will be further upgraded to include the multi-media features to provide an end user with multi-media contents for navigation.

Response to Arguments

Applicant's arguments filed on 11/05/2004 have been fully considered but they are not persuasive.

The examiner disagrees with applicant argument under 35 U.S.C. § 112, Paragraph 2 that claims 4, 16 and 27 have been amended to clear the ambiguity of the recitation. In contrary to applicant argument, the examiner points out because the instant specification fails to disclose the structure of claimed data object and its associated types as well as the links between the claimed data object type and separate programs, thus, the examiner maintains the same rejection for these claims.

The examiner further disagrees with applicant arguments based on amended

claims of 1,12 and 24 under 35 U.S.C. 102(e) rejection that are summarized as

following:

1) the prior art of Dorsett (U.S. Patent No. 6,658,429) fails to disclose an asset

class that defines as having an attribute object comprising an external data object and

an object type identifying a type of the attribute object.

2) Nowhere doest the cited Dorsett disclose a query indicating an asset name,

search predicate, attribute operator and attribute value, where the attribute operator is

associate with one attribute in the indicated asset name.

In reply to argument 1: the examiner points out that Dorsett clearly discloses a

digital library including asset classes [e.g., the unit 100, Fig. 1; col. 4, line 66 – col. 5,

line 38, col. 6, lines 46-59, col. 7, lines 11-17, col. 8, lines 53-63], wherein each attribute

of the at least one asset classes [e.g., XYDataSet Java class, col. 13, line 42 – col. 15,

line 15; Fig. 4 B and associated texts] have an attribute object [e.g., XYDataSet objects,

col. 6, lines 46-50] comprising an external data object [e.g., a derived object, col. 6,

lines 50-52, the XDATA, YDATA fields of Fig. 4B] and attribute object type identify the

type of the attribute object [e.g., a tow-dimensional or time-fixed data set, col. 6, lines

55-59; the BLOB data type of XDATA, YDATA fields, Fig. 4B].

In reply to argument 2: the examiner further points out that Dorsett clearly

discloses a query indicating an asset name [e.g., the PPR element 805, Fig. 8A], search

predicate [e.g., the user query interface unit 800, Fig. 8A], at least one attributes

operator [e.g., the user query interface units 815, 825, Fig. 8A], and attributes

value[e.g., the user query interface unit 820, Fig. A], wherein, the attribute operator is

associated with at least one attribute included in the indicated asset name [e.g., col. 19,

lines 12-26; Fig(s). 7, 8A – 8B and associated texts].

As to the rest of arguments, applicant rehashes issues already addressed on

record. Hence, based on the above discussions, the examiner maintains the same type

of rejection.

Conclusion

To expedite the process of re-examination, the examiner requests that all future

correspondences in regard to overcoming prior art rejections or other issues (e.g. 35

U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should

provide and link to the most specific page and line numbers of the disclosure where

best support is found (see 35 U.S.C. 132).

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Susan Y Chen whose telephone number is 571-272-

4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

January 29, 2005

UYEN LE
PRIMARY EXAMINER